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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,180	03/27/2001	Michail Petropoulos	ENOS0001	3827

22862 7590 05/20/2005

GLENN PATENT GROUP
3475 EDISON WAY, SUITE L
MENLO PARK, CA 94025

EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,180

Applicant(s)

PETROPOULOS ET AL.

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-20, 22-29 and 31-38 is/are allowed.
- 6) ☒ Claim(s) 21 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This is in response to communication filed 03/27/05.

Response to Arguments

In view of the appeal brief filed on 03/27/05, PROSECUTION IS HEREBY REOPENED. There are two options set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imamura (US 20020089542) in view of Levy et al. (US 5600831) (Levy).

Regarding claims 21 and 30, Imamura discloses: a query processing platform comprising: multiple control schema and multiple query form controls each comprising

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an instance of one of the control schemas (page 8, 0184-0186, Imamura); one or more query form schema and multiple query form annotations each comprising an instances of one of the query form schemas (page 8, 0193-0197, Imamura); a data schema (page 11, 0271-0272, Imamura); appearance templates (fig. 27 and 28 and corresponding text, Imamura); a compiler including access to the controls, annotations and appearance templates (page 11, 0280-0283, Imamura). However, Imamura didn't disclose a run-time engine including a query rendering engine and a query assembler and subquery generators accessible by the assembler and the compiler. On the other hand, Levy discloses: a run-time engine including a query rendering engine (col. 27, lines 27-58, Levy) and a query assembler and subquery generators accessible by the assembler and the compiler (col. 27, lines 62 to col. 28, lines 14, Levy). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include a run-time engine including a query rendering engine and a query assembler and subquery generators accessible by the assembler and the compiler in the system of Imamura as taught by Levy. The motivation being to enable the system provided a dynamic query plans, where the query plan generation phase interacts with the plan execution phase so the query plan is generated completely at compile time and is not modified at runtime.

Allowable Subject Matter

Claims 1-20, 22-29 and 31-38 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: a method and system for constructing a query system for use with a body of data comprising operations of compiling the query form annotation, comprising: providing multiple control schemas and each control schema prescribing constituent components of query form controls providing instances of that control schema, the prescribed components of each control schema comprising: mapping between the specified appearance template and the data schema and between the specified subquery generator and the data schema as recited in claims 1, 10, 19, 22, 26, 28, 29 and 28.

The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: a method and system for constructing a query system for use with a body of data comprising operations of compiling the query form annotation, comprising: providing one or more query form schemas prescribing constituent components of corresponding query form annotations that provide instances of the query form schemas, said components comprising: mapping between the specified appearance template and the data schema and between the specified subquery generator and the data schema as recited in claims 11, 18, 2, 31, 35, 37 and 38.

Regarding claims 2-9, 12-17, 23-25, 32, 33, 36 and 34, these claims depend from claims 1, 11, 22, 27, 31 and 35 respectively and are therefore allowable.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rauer et al. (U.S 6161103). Method and apparatus for creating aggregates for use in a datamart.

Blinn et al. (U.S 6484150). Electronic shopping and merchandising system accessing legacy data in a database independent schema manner.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen
May 5, 2005

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER